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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,649	02/16/2006	Giorgio Terenghi	TEPH 109	4566
23579	7590	12/04/2008	EXAMINER	
PATREA L. PABST			WANG, CHANG YU	
PABST PATENT GROUP LLP			ART UNIT	PAPER NUMBER
400 COLONY SQUARE, SUITE 1200				
1201 PEACHTREE STREET			1649	
ATLANTA, GA 30361			MAIL DATE	DELIVERY MODE
			12/04/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10568649	2/16/2006	TERENGHI ET AL.	TEPH 109
EXAMINER			
Chang-Yu Wang			
ART UNIT	PAPER		
1649	20081202		

DATE MAILED:

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**Commissioner for Patents**

The reply brief filed October 20, 2008 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal. The PCT references cited in the Evidence Appendix were not considered except the one was cited by the Examiner (WO01/54593) as indicated on p. 4 of the examiner answer. In addition, the IDS submitted on 10/03/08 and 11/12/08 are not entered because they constitute new evidence and fail to comply with 37 CFR 1.97 & 1.98 (lack of a concise explanation of the relevance and lack of a legible copy). See MPEP 609.04-(b)-III & 37CFR 1.97 & 1.98 for proper submission of IDS after final. Furthermore, Appellants' arguments were previously presented in the Brief and have been answered in the examiner answer mailed 8/19/08. Appellant's reply brief substantially repeats what was previously presented in the Brief and all arguments have been addressed in the Examiner's Answer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chang-Yu Wang whose telephone number is (571) 272-4521. The examiner can normally be reached on Monday-Thursday from 8:30 AM to 6:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Stucker, can be reached at (571) 272-0911.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/CYW/  
Chang-Yu Wang, Ph.D.  
December 2, 2008

/Christine J Saoud/  
Primary Examiner, Art Unit 1647